

REMARKS

Claims 11, 13, 14, 22, 34, 36 and 37 have been amended.

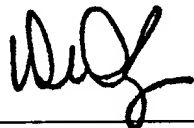
Claims 11 to 45 remain in the application. Of these, claims 11, 14, 16 and 22 are independent claims.

The claims stand rejected in various combinations under 35 U.S.C. as 102(b) and 35 U.S.C. 103(a) based on Strasser et al U.S. Patent No. 4,838,282 (Strasser '282) or Strasser '282 in view of Webster U.S. Patent 4,820,755 (Webster '755), Strasser '282 in view of Bhiwandker et al U.S. Patent 3,523,011 (Bhiwandker '011), or Strasser '282 in view of Olson U.S. Patent 3,258,312 (Olson '312).

None of the cited references, alone or in combination, teach or suggest a system or method in which a tool includes first and second markers which are located in a pre-determined visual alignment when a composite handle is formed, as defined by the amended claims.

Allowance of claims 11 to 45 is respectfully requested.

Respectfully submitted,

By 

Daniel D. Ryan
Registration No. 29,243

RYAN KROMHOLZ & MANION, S.C.
P.O. Box 26618
Milwaukee, Wisconsin 53226-0618
August 27, 2002
421635b.ldr

Marked-Up Version of Amended Claims 11, 13, 14, 22, 34, 36 and 37

11. (Twice amended) A tool comprising
a first functional instrument including a first handle having a first marker, and
a second functional instrument including a second handle having a second marker,
the first functional instrument engaging the second functional instrument to form a composite
instrument, [and]

the first handle mating with the second handle when the first functional instrument is
engaged with the second instrument forming a composite handle,

the first and second markers being located in a pre-determined visual alignment when the
composite handle is formed, and

at least one of the first handle and second handle being comprised of material that
indicates whether at least one of the first functional instrument and the second functional instrument has
been heat sterilized.

13. (Twice amended) A tool according to claim 12, wherein the deformation prevents [the
first handle from mating with the second handle] location of the first and second markers in the pre-
determined visual alignment.

14. (Twice amended) A tool comprising
a first functional instrument including a first handle having a first marker, and
a second functional instrument including a second handle having a second marker,
the first functional instrument engaging the second functional instrument to form a composite
instrument, [and]

the first handle mating with the second handle when the first functional instrument is
engaged with the second instrument forming a composite handle,

the first and second markers being located in a pre-determined visual alignment when the
composite handle is formed, and

at least one of the first handle and second handle being comprised of material that indicates
whether at least one of the first functional instrument and the second functional instrument has been
sterilized by least one of radiation and sterilization chemicals.

22 (Amended). A tool comprising
a first instrument including a first handle having a first marker, and
a second instrument including a second handle having a second marker,
the first handle mating with the second handle to form a composite handle,
the first and second markers being located in a pre-determined visual alignment when the

composite handle is formed, and

at least one of the first handle and second handle comprising material that indicates whether at least one of the first or second instruments has been sterilized.

34 (Amended). A tool according to claim 33, wherein, subsequent to the deformation of at least a portion of the material, the first handle does not completely engage the second handle to form the composite handle [prevents], preventing location of the first and second markers in the pre-determined visual alignment.

36 (Amended). A tool according to claim 35, wherein, subsequent to the deformation of at least a portion of the first or second instrument, the first instrument does not completely engage the second instrument to form the composite instrument, preventing location of the first and second markers in the pre-determined visual alignment.

37 (Amended). A tool according to claim 35, wherein, subsequent to the deformation of at least a portion of the first or second instrument, the first handle does not completely engage the second handle to form the composite handle, preventing location of the first and second markers in the pre-determined visual alignment.